

Message Text

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ACTION EUR-12

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USAFE RAMSTEIN
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E.O. 11652: NA
TAGS: PINT GW
SUBJ: POPULAR REQUEST AGAINST NRW SCHOOL LAW

1. SUMMARY: A NEW SCHOOL LAW, DESIGNED TO INTRODUCE A SCHOOL SYSTEM SIMILAR TO THOSE EXISTING IN MOST WESTERN COUNTRIES ON A VOLUNTARY BASIS HAS AROUSED THE WRATH OF PARENTS AND TEACHERS ASSOCIATIONS TO SUCH AN EXTENT AS TO GIVE RISE TO A REQUEST FOR A REFERENDUM, PROVIDED FOR IN THE NRW CONSTITUTION. THE REQUEST MUST BE SUPPORTED BY 2.4 MILLION SIGNATURES TO BE COLLECTED FROM FEBRUARY 15 TO MARCH 1, 1978. THE CDU, AWARE OF THE POSSIBLE POLITICAL IMPLICATIONS OF A SUCCESSFUL REQUEST AND REFERENDUM IS VIGOROUSLY SUPPORTING THE CAMPAIGN, OBVIOUSLY IN THE HOPE OF UNSEATING THE NRW-SPD/FDP
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GOVERNMENT COALITION IN DUESSELDORF AND POSSIBLY IN BONN.
THE OUTCOME IS AS YET UNCERTAIN. END SUMMARY.

2. INOCTOBER 1977, THE NORTH RHINE-WESTPHALIAN (NRW) LANDTAG WITH THE VOTES OF THE SPD AND FDP FACTIONS AND AGAINST THE VOTES OF THE CDU PASSED A LAW WHICH ADDED A NEW VARIETY TO THE ALREADY EXISTING FORMS

OF SCHOOLS IN NRW. THE NEW SCHOOL SYSTEM HAS BECOME KNOWN UNDER THE NAME OF CO-OPERATIVE SCHOOL AND WOULD BRING THE NRW SCHOOL SYSTEM A STEP CLOSER TO THE SYSTEM OF THE UNITED STATES AND OTHER WESTERN COUNTRIES. ITS INTRODUCTION IS OPTIONAL AND LEFT TO THE DECISION OF LOCAL GOVERNMENTS.

3. SOME PARENTS AND TEACHERS ASSOCIATIONS IMMEDIATELY SENSED AN ATTACK ON THE CHERISHED TRADITIONAL SYSTEM OF A SHARP DIVISION BETWEEN THREE POSSIBLE EDUCATIONAL TRACKS, PROVIDING EITHER A BASIC, 3-YEAR EDUCATION, OR AN INTERMEDIATE LEVEL WHICH MIGHT LEAD TO ADVANCED TECHNICAL TRAINING, OR A FULL ACADEMIC CURRICULUM LEADING TO ADMISSION TO A UNIVERSITY.

4. THE NRW CONSTITUTION PROVIDES FOR SUBMITTING LEGISLATION TO A POPULAR REFERENDUM. THE PROCEDURE IS SOMEWHAT CUMBERSOME AND INVOLVES THREE STEPS. THE FIRST STEP IS THE COLLECTION OF 3000 SIGNATURES TO INITIATE A REQUEST FOR A REFERENDUM. THE SECOND STEP IS THE REQUEST WHICH MUST BE SUPPORTED BY 2.4 MILLION SIGNATURES. IF THE PRESCRIBED NUMBER OF SIGNATURES HAS BEEN COLLECTED AND IF THE LANDTAG DOES NOT REACT TO THIS RESULT BY RESCINDING THE LEGISLATION WHICH IS BEING CHALLENGED, THE LAW WILL BE PUT TO A POPULAR REFERENDUM, WHERE A SIMPLE LIMITED OFFICIAL USE

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PLURALITY IS SUFFICIENT TO REPEAL THE LAW. THE NECESSARY 3000 SIGNATURES HAVING BEEN OBTAINED IN THE FIRST STEP, THE COLLECTION OF SIGNATURES FOR THE SECOND WAS BEGUN ON FEB 15 AND WILL CONTINUE UNTIL MARCH 1.

5. NOTWITHSTANDING THE FACT THAT THE NRW/CDU ITSELF HAD ENDORSED THE CONTESTED LEGISLATION IN 1976 AND THAT THE SYSTEM IS OPERATING SUCCESSFULLY IN CDU-GOVERNED LAENDER, THE NRW/CDU HAS TRIED TO UTILIZE THIS REQUEST AS A MEANS TO EMBARRASS AND POSSIBLY TO UNSEAT THE SPD/FDP COALITION GOVERNMENT. IT IS VIGOROUSLY AND ACTIVELY SUPPORTING THE REFERENDUM REQUEST.

6. THE POPULAR REQUEST HAS MORE AND MORE TAKEN ON THE ASPECT OF A CDU CAMPAIGN AGAINST THE NRW GOVERNMENT IN GENERAL, AND THE REAL SPONSORS ARE MORE AND MORE DROPPING INTO THE BACKGROUND. THE SPD ESTIMATES THE CDU CAMPAIGN COSTS AT DM 10 MILLION (ABOUT \$5 MILLION); THE CDU ONLY ADMITS A CONTRIBUTION OF DM 800,000 (ABOUT \$400,000), WHICH

OBVIOUSLY DOES NOT INCLUDE SUBSTANTIAL "FACILITATIVE ASSISTANCE". THE SPD EXPECTS THAT A LARGE NUMBER OF SIGNATURES WILL BE COLLECTED OWING TO THE ACTIVE CDU SUPPORT, BUT NOT ENOUGH FOR THE POPULAR REFERENDUM. AT PRESENT THE SPD/FDP COALITION FIGURES THAT 800,000 SIGNATURES HAVE BEEN COLLECTED AT MOST. THE CDU IS CONFIDENT OF ITS VICTORY AND CLAIMS THAT ABOUT 1.4 MILLION SIGNATURES HAVE BEEN COLLECTED IN THE FIRST HALF OF THE CAMPAIGN. HOWEVER, BOTH THE CDU AND THE SPONSORS ANNOUNCED THAT IN CASE OF A FAILURE OF THE REQUEST THEY WOULD FILE A CONSTITUTIONAL COMPLAINT ON THE GROUNDS THAT THE REQUEST HAD BEEN UNDULY HANDICAPPED BY THE LAND GOVERNMENT AND SPD-DOMINATED CITIES.DUX

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